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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/803,067	03/12/2001	Lawrence Gene Costello		7199

7590 12/10/2002
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720 N. ADELE # 4
ORANGE, CA 92867

EXAMINER

WONG, LESLIE A

ART UNIT	PAPER NUMBER
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1761

DATE MAILED: 12/10/2002

7

Please find below and/or attached an Office communication concerning this application or proceeding.



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Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

The reply filed on September 26, 2002 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant does not address the rejection of record. See 37 CFR 1.111.

The amendment to the claims filed on September 26, 2002 does not comply with the requirements of 37 CFR 1.121(c). Amendments to the claims filed after March 1, 2001 must comply with 37 CFR 1.121[©] which states:

© Claims.

(1) Amendment by rewriting, directions to cancel or add: Amendments to a claim must be made by rewriting such claim with all changes (e.g., additions, deletions, modifications) included. The rewriting of a claim (with the same number) will be construed as directing the cancellation of the previous version of that claim. A claim may also be canceled by an instruction.

(I) A rewritten or newly added claim must be in clean form, that is, without markings to indicate the changes that have been made. A parenthetical expression should follow the claim number indicating the status of the claim as amended or newly added (e.g., "amended," "twice amended," or "new").

(ii) If a claim is amended by rewriting such claim with the same number, the amendment must be accompanied by another version of the rewritten claim, on one or more pages separate from the amendment, marked up to show all the changes relative to the previous version of that claim. A parenthetical expression should follow the claim number indicating the status of the claim, e.g., "amended," "twice amended," etc. The parenthetical expression "amended," "twice amended," etc. should be the same for both the clean version of the claim under paragraph (c)(1)(I) of this section and the marked up version under this paragraph. The changes may be shown by brackets (for deleted matter) or underlining (for added matter), or by any equivalent marking system. A marked up version does not have to be supplied for an added claim or a canceled claim as it is sufficient to state that a particular claim has been added, or canceled.

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(2) A claim canceled by amendment (deleted in its entirety) may be reinstated only by a subsequent amendment presenting the claim as a new claim with a new claim number.

In view of the submitted Substitute Specification and the improperly submitted new claims, it is noted that Applicant appears to add and claim additional disclosure not originally presented. These amendments suggest that a new continuation-in-part application may be in order. Should applicant desire to obtain the benefit of the filing date, attention is directed to 35 U.S.C. 120 and 37 CFR 1.78.

Since the reply filed on September 26, 2002 appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH** or **THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to submit an amendment in compliance with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie Wong whose telephone number is (703) 308-1979. The examiner can normally be reached on Tuesday-Friday. The fax number for this Group is (703) 872-9310. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.



Leslie Wong
Primary Examiner
Art Unit 1761

LAW
December 6, 2002